

Disability Questions? Accommodation Questions?

Issues concerning disability are very complex, compared to other equal employment opportunity (EEO) protected categories. The Department of Veterans Affairs (VA) has increased the amount of information and education on this subject, but we understand that questions can still arise.

VA's Office of Diversity and Inclusion (ODI) has answers. You may want to review the information on the Disability Program Web site at **www.diversity.hr.va.gov/disabilities.htm**.

It is VA's goal to become a model employer, which will require us to ensure that requests for disability accommodation are processed quickly or at least within the 30 day time frame. The new Handbook on Processing Requests for Reasonable Accommodation clarifies that only the Secretary for Veterans Affairs may deny a request based on cost. Accordingly, ODI has established a Centralized Fund to reimburse the cost of accommodations not provided by DoD's CAP. The form for requesting reimbursement is on the Disability Program Web page.

If you still have questions, please contact VA's Disability Program Manager, Christy Compton, on 202-461-4131 or via email at **Christy.Compton@va.gov**.



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Disability Issues



U.S. Department of Veterans Affairs
Office of Diversity and Inclusion

Brief Overview

The Rehabilitation Act of 1973, as amended, requires Federal agencies to:

- Use meaningful affirmative hiring, placement, and advancement opportunities;
- Prevent discrimination against applicants and employees with disabilities
- Provide reasonable accommodation. (Section 501)
- Make federally funded or sponsored programs be fully accessible. (Section 504)
- Ensure that all electronic/information technology be accessible. (Section 508)

The Honorable Eric K. Shinseki, Secretary of Veterans Affairs, announced that we need to increase the employment of individuals with disabilities, especially disabled Veterans and those with targeted disabilities. The targeted disabilities are blindness, deafness, partial paralysis, complete paralysis, missing limbs, distortion of limbs or spine, mental illness, intellectual disabilities, and convulsive disorders. We are also required to improve promotion opportunities and our retention of employees from this group.

Questions and Answers:

Q: The employee made his request when I was on leave. Can we extend the 30 day time limit?

A: An extension cannot be granted because someone was out of the office. All decision makers should arrange for a back up. Local Reasonable Accommodation Coordinators and other key staff should also have alternates.

Q: The employee is requesting telework, but the office policy does not allow telework.

A: Telework as a reasonable accommodation falls outside the office policy. If the request is supported by the functional limitations of the disability, the work can be done from home, and the employee's performance evaluation was satisfactory or better, the telework request should be granted.

Q: My employee, who is blind, is requesting JAWS software, which will read the documents, but we don't have the funds. What can we do?

A: VA has a MOU with Department of Defense's Computer/Electronics Accommodation Program (CAP), which will provide computer and electronic technology at no cost. VA staff can contact CAP directly to arrange accommodation for VA employees. See **www.tricare.mil/cap**.

Q: An employee with severe allergies has requested an air purifier for her office, but we don't have the funds. What can we do?

A: ODI has a Centralized Fund which will reimburse the cost of any accommodations that are not provided by DoD's CAP and are not modifications to the building. Please see the Disability Accommodation section on ODI's web site: **www.diversity.hr.va.gov/disabilities.htm**.

Q: My employee who is deaf has requested interpreters (or captioning). I know the Centralized Fund will reimburse us for the cost, but it is annoying to arrange for these services for every meeting. Can we tell the deaf employee not to attend the meetings?

A: The deaf employee must be invited to every meeting attended by his/her co-workers. Your clerical staff can make these arrangements. To tell the deaf employee not to come is discrimination.

Q: My employee is having trouble because of her disability, but we don't know what the most effective solution would be to allow her to work without pain.

A: The Job Accommodation Network, **www.askjan.org**, has staff with experience covering many disabilities and appropriate accommodations. They can usually help managers find a solution.